

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
SOUTHERN DIVISION**

GINA G. DOVE

Plaintiff,

**BLUECROSS BLUESHIELD OF
TENNESSEE, INC.**

Defendant.

)
)
)
)
)
)
)
)
)
)

Case No:

**(Removed from Hamilton County
Chancery Court, Case No. 22C1271)**

JURY DEMAND

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1441, Defendant BlueCross BlueShield of Tennessee, Inc. (“BCBST”) files this Notice of Removal for the purpose of removing the action entitled “*Gina G. Dove v. BlueCross BlueShield of Tennessee, Inc.*” and docketed in the Chancery Court of Hamilton County, Tennessee, Case No. 22C1271, to the United States District Court for the Eastern District of Tennessee. As grounds, BCBST states as follows:

1. On December 14, 2022, Plaintiff filed her Complaint and Demand for Jury Trial (“Complaint”), styled “*Gina G. Dove v. BlueCross BlueShield of Tennessee, Inc.*” and docketed in the Chancery Court of Hamilton County, Tennessee, Case No. 22C1271. Plaintiff’s Complaint asserts religious discrimination and retaliation under the Tennessee Human Rights Act and Title VII of the Civil Rights Act of 1964 (“Title VII”).

2. A true and authentic copy of the Summons and Complaint served on BCBST on or about December 28, 2022, is attached as **Exhibit 1** hereto pursuant to 28 U.S.C. § 1446(a). No other process, pleadings, or orders have been served upon BCBST at this time.

3. BCBST is filing this Notice of Removal within thirty days after service of the Complaint, and this Notice of Removal is timely under 28 U.S.C. § 1446(b).

4. This action is removed on the basis of federal question jurisdiction. Plaintiff asserted discrimination and retaliation claims under federal law, which federal district courts have original jurisdiction to hear, and this action is removable pursuant to 28 U.S.C. § 1441(a). *See* 28 U.S.C. §§ 1331, 1367.

5. Venue is proper pursuant to 28 U.S.C. § 1441(a) in the United States District Court for the Eastern District of Tennessee, which embraces the same county where the state court action is pending.

6. Undersigned counsel also certifies that a copy of the Notice of Removal will be promptly served on Plaintiff and filed with the Clerk and Master of the Hamilton County Chancery Court, Tennessee in accordance with 28 U.S.C. § 1446(d). A copy is attached hereto as

Exhibit 2.

WHEREFORE, BCBST removes the action now pending in the Chancery Court of Hamilton County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Southern Division.

s/ Robert E. Boston

Robert E. Boston (Tenn. BPR #009744)

Joshua T. Wood (Tenn. BPR #035395)

Waller Lansden Dortch & Davis, LLP

511 Union Street, Suite 2700

Nashville, TN 37219

Telephone: (615) 244-6380

Facsimile: (615) 244-6804

bob.boston@wallerlaw.com

josh.wood@wallerlaw.com

*Attorneys for Defendants BlueCross BlueShield of
Tennessee, Inc. and Volunteer State Health Plan,
Inc.*

CERTIFICATE OF SERVICE

I certify that on January 27, 2023, the foregoing document was filed electronically with the Clerk of the Court using the court's CM/ECF system, which is expected to send notification of such filing to the following counsel of record. A courtesy copy will also be sent via first class mail.

Steve Duggins
Duggins Law Group, PLLC
8052 Standifer Gap Rd., Ste. B
Chattanooga, TN 37421
steve@dugginslawgroup.com

s/ Robert E. Boston